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January 18, 2019

Via ECF

The Honorable Hildy Bowbeer
316 North Robert Street
100 Federal Building
St. Paul, MN 55101

Re: *Fredin v. Miller et al* (18-cv-00466)
Fredin v. Middlecamp (17-cv-03058)
Fredin v. Clysdale et al (18-cv-0510)

Dear Magistrate Judge Bowbeer,

I, along with my co-counsel Adam Ballinger of Ballard Spahr, represent Defendants Grace Miller, Catherine Schaefer and Lindsey Middlecamp in the above-referenced lawsuits. We write to request that the Court schedule a Rule 16 conference as soon as the Court's calendar permits so that the remaining claims in these matters can be timely addressed.

On November 2, 2018 the Court issued an order in response to Fredin's request that all matters be stayed because he had been sentenced to a one-year term of incarceration at the Ramsey County Correctional Facility. The Court denied Fredin's request, but granted him an additional thirty-day extension beyond the date when his objections or responses to objections would otherwise have been due in the various cases in which Fredin was under a deadline to file. The time to respond in the above-referenced matters has now passed without Fredin taking an action. With the exception of *Fredin v. Clysdale et al*, where all claims were dismissed without prejudice, the other two cases are in need of a Rule 16 conference. The procedural posture of the cases are as follows.

Fredin v. Miller et al

On December 12, 2018 judgment was entered, granting in part and denying in part Fredin's Motion for Leave to File an Amended Complaint, and granting in part and denying in part as moot Defendants' motions to dismiss [Doc.42]. Fredin was ordered to file an Amended Complaint that complied with the Court's Order on or before January 2, 2019 [Doc. 41]. Fredin did not file an Amended Complaint. We request that the case be dismissed without prejudice for failure to prosecute pursuant to the Court's order.

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The Court took similar action in two other lawsuits initiated by Fredin against his former criminal defense counsel (18-cv-2514) and the Saint Paul City Attorney's Office (18-cv-2911). In both instances the cases were dismissed without prejudice for failure to prosecute pursuant to the Court's instructions.

Fredin v. Middelcamp

On September 26, 2018, the Court adopted the R&R regarding Defendant's motion to dismiss and/or, alternatively, to strike portions of the Amended Complaint. [Doc. 14] The Court dismissed with prejudice Fredin's abuse of process claim and struck portions of the Amended Complaint that contained defendant's personal information, but the claims for defamation and intentional infliction of emotional distress remain. Middlecamp filed her Answer on October 31, 2018. There has been no activity in the case since that filing.

Fredin v. Clysdale et al

On January 10, 2019, the Court adopted the R&R dismissing all claims contained in the Second Amended Complaint against all defendants and, further, denied Fredin's request for leave to file a third amended complaint.

Our clients are anxious to resolve the claims against them. Through amendments, objections and unsolicited letters to this Court, Fredin has been able to stall the progression of these cases for many months. We respectfully request that a Rule 16 conference be convened to address case management issues that stand in the way of these cases being resolved in their entirety.

Thank you for considering our request.

Sincerely,

/s/ K. Jon Breyer

K. Jon Breyer

cc: Brock Fredin
Ramsey County Correctional Facility
297 Century Avenue, Saint Paul, MN 55119

Adam Ballinger (via email)